

Fire Safety Code Board of Appeal and Review

Minutes: April 26, 2016

The Rhode Island Fire Safety Code Board of Appeal and Review met at its headquarters located at 2 Regan Court, Mathias Building #56, in Cranston, RI on Tuesday, April 26, 2016, at 1:00 P.M.

Call to Order:

Chairman Newbrook called the meeting to order at 1:05 P.M.

Roll Call:

Present were Chairman Newbrook, Vice Chairman Blackburn and Commissioners Jackson, Thornton, Booth, Filippi, Richard and Pearson.

Also present were Executive Director W. Keith Burlingame Esq. and Administrative Assistant Desiree Campanini.

Absent from today's hearing were Commissioners Walker and Sylvester.

Minutes:

Commissioner Thornton made a motion, seconded by Commissioner Jackson, to accept the April 12, 2016, minutes as written. Motion

passed unanimously.

Commissioner Pearson made a motion, seconded by Commissioners Booth and Richard, to accept the April 19, 2016, minutes as written. The motion passed on a (7) to (0) vote with Vice-chairman Blackburn abstaining from the vote.

New Business:

APPEAL #160022: Shawn Harrington appeared for the property located at 884 Branch Avenue, Providence. Assistant Deputy State Fire Marshal (ADSFM) Keith Maine appeared for the Providence Fire Marshal's Office. Commissioner Thornton made a motion, seconded by Commissioners Jackson and Richard, to grant the Applicant a time variance of six (6) months for the installation of fully compliant fire alarm system in this facility, with no objection from the Providence Fire Marshal's Office. Motion passed unanimously.

APPEAL #160023: Shawn Harrington appeared for the property located at 334 Branch Avenue, Providence. ADSFM Keith Maine appeared for the Providence Fire Marshal's Office. Vice-chairman Blackburn made a motion, seconded by Commissioner Thornton, to grant the Applicant's request for a variance from installation of emergency force notification system in this facility. In granting the Applicant above variance, the Board grant the Applicant a time variance of one hundred eighty (180) days to install a fully compliant

local fire alarm system throughout this facility, at the direction and to the satisfaction of the Providence Fire Marshal's Office. The motion passed on a (7) to (1) vote, with Commissioner Booth opposing the vote.

APPEAL #160010: Kim Waite appeared for the property located at 544 Pleasant Street, Pawtucket. Deputy State Fire Marshals (DSFM) Michael DeRosa and Eric Kiernan appeared for the State Fire Marshal's Office. Commissioner Richard made a motion, seconded by Commissioner Thornton, to table this case for thirty (30) days to allow the Applicant time to work out a comprehensive plan of action with the State Fire Marshal's Office, then present the proposed plan of action to the Board. Motion passed unanimously.

APPEAL #160043: At this time, ADSFM Keith Maine of the Providence Fire Marshal's Office, advised the Board that this facility is in compliance with the RI Fire Code and no longer needs relief from the Board. At this time, the Board closed this file based on the Providence Fire Marshal's testimony. No motion was taken. The file was closed.

APPEAL #160030: Joe Crosby, Kerry Izzi, Edward Johnson and Attorney Sergio Spaziano appeared for the property located at 101 Prospect Hill Avenue, West Warwick. ADSFMs James Bobola and Matthew Manni appeared for the West Warwick Fire Marshal's Office. Vice-chairman Blackburn made a motion, seconded by Commissioner

Pearson, to grant the Applicant a time variance of one hundred eighty (180) days to correct the following issues: installation of a fully compliant fire alarm system throughout this facility, to provide this facility with approved smoke and carbon monoxide alarms, the installation of a key access box, the doors leading into the egress system must have a rating of not less than 20-minute fire protection, with self-latching devices, at the direction and to the satisfaction of the West Warwick Fire Marshal's Office. Finally, the Board authorizes the West Warwick Fire Marshal's Office to extend the above timeline(s) for good faith compliance efforts being demonstrated by the Applicant in accordance with the provisions of Fire Safety Code, section 6-2-22.1. Motion passed unanimously.

APPEAL #160019: Antonio DiMarco, Marco Tommasini and Nunzio DiMarco appeared for the property located at 165 Shore Road, Westerly. Chief of Inspections Octavio Vieira and DSFM Kaitlyn Iannone appeared for the State Fire Marshal's Office. Commissioner Thornton made a motion, seconded by Commissioner Jackson, to accept the Applicant's purposed plan of action and grant the Applicant a variance to allow the third floor occupancy to remain in use, with an occupant load of forty nine (49) persons posted, at the direction and to the satisfaction of the State Fire Marshal's Office. The Board granted the Applicant's request for a variance to allow the existing egress doors from the banquet facility to remain in use with an occupant load of three hundred (300) persons in this area only. The Applicant was granted a variance to allow one (1) means of

egress from stair 1 from the third floor of the “Sky Bar” to remain in use. The State Fire Marshal’s Office has no objection to the Applicant’s proposed plan of action and to the variances granted by the Board. Motion passed unanimously.

FI#16-05: Fire Safety Code Section 9-Section 702.3 / Automatic Sprinkler Systems:

After a discussion, Commissioner Jackson made a motion, seconded by Vice-chairman Blackburn, to accept the interpretation as written. The motion passed unanimously.

Old Business:

The Board reviewed and voted on the April 19, 2016 Subcommittee’s recommendations to the full Board on April 26, 2016.

APPEAL #160040: For the property located at 560 Old Baptist Road, North Kingstown, Commissioner Pearson made a motion, seconded by Commissioner Richard, to accept the April 19, 2016, Subcommittee’s recommendation. The motion passed unanimously.

APPEAL #160042: For the property located at 126 Somerset Street / 148 Praire Avenue, Providence, Commissioner Thornton made a motion, seconded by Commissioner Richard to accept the April 19, 2016 Subcommittee’s recommendation. The motion passed on a (7) to (0) vote, with Vice-chairman Blackburn abstaining from the vote.

APPEAL #160044: For the property located at 90 Pleasant View Avenue, Smithfield, Commissioner Thornton made motion, seconded by Vice-chairman Blackburn to accept the April 19, 2016, Subcommittee's recommendation. The motion passed unanimously.

Open Forum / Public Comment: Executive Director Keith Burlingame announced that the Fire Code Bill will be heard in front of the Senate tomorrow at 5:00 P.M.

Adjournment: Commissioner Richard made a motion, seconded by Commissioners Thornton and Pearson, to adjourn the meeting at 2:30 P.M. Motion passed unanimously.

**Respectfully submitted by:
Desiree Campanini**